

1 [Counsel Listed on Signature Page]

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6 **UNITED STATES DISTRICT COURT**

7 **NORTHERN DISTRICT OF CALIFORNIA**

8 **SAN FRANCISCO DIVISION**

9

10 IN RE: JUUL LABS, INC. ANTITRUST
11 LITIGATION

12 This Document Relates To:

13 ALL ACTIONS

14 Case No. 3:20-cv-02345-WHO

15 **STIPULATION AND ORDER DISMISSING
16 INDIRECT RESELLER PLAINTIFFS'
17 MONOPOLIZATION CLAIMS AGAINST
18 DEFENDANTS AND INDIRECT RESELLER
19 PLAINTIFFS' UCL CLAIM AGAINST THE
20 ALTRIA DEFENDANTS**

21 Judge: Hon. William H. Orrick

22 **WHEREAS** the Indirect Reseller Plaintiffs (“IRPs”) filed an amended consolidated class
23 action complaint on September 20, 2021, that asserts ten claims for relief. IRP Am. Compl., ECF
24 No. 274 (“Complaint”).

25 **WHEREAS** the IRPs have represented to Defendants that they no longer intend to pursue
26 the following claims in their Complaint:

- 27 • Second Claim for Relief: Monopolization, 15 U.S.C. § 2;
- 28 • Third Claim for Relief: Attempted Monopolization, 15 U.S.C. § 2; and
- Fourth Claim for Relief: Conspiracy to Monopolize, 15 U.S.C. § 2.

29 **WHEREAS** the IRPs have represented to Defendant Altria Group, Inc. and Altria
30 Enterprises LLC (collectively, “Altria”) that they no longer intend to pursue the following claim
31 against Altria in their Complaint:

- 1 • Seventh Claim for Relief: Violation of California's Unfair Competition Law, Cal.
 2 Bus. & Prof. Code § 17200, *et seq.* (the "UCL claim").

3 **IT IS NOW STIPULATED AND AGREED**, pursuant to Fed. R. Civ. P. 15(a), by and
 4 between the undersigned counsel, that the IRPs' monopolization, attempted monopolization, and
 5 conspiracy to monopolize claims are hereby dismissed in their entirety, without prejudice and
 6 without costs or fees to either party. Further, the IRPs' UCL claim is hereby dismissed as against
 7 Defendant Altria, without prejudice and without costs or fees to either party. This stipulation shall
 8 have no effect on the remaining claims asserted in the Complaint. *See Hells Canyon Pres. Council v.*
 9 *U.S. Forest Serv.*, 403 F.3d 683, 687 (9th Cir. 2005) (identifying Rule 15 as governing the
 10 "withdrawals of individual claims"); *Murphy v. Finish Line, Inc.*, No. 20-cv-05663-WHO, 2021 WL
 11 2166875, at *2 (N.D. Cal. May 27, 2021) ("Rule 15 governs the situation when a party dismisses
 12 some, but not all, of its claims against a defendant.").

13 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

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 16 DATED: April 15, 2025



HONORABLE WILLIAM H. ORRICK
 UNITED STATES DISTRICT JUDGE

1 DATED: April 15, 2025

KAPLAN FOX & KILSHEIMER LLP

2 By: /s/ Elana Katcher
 3 Elana Katcher

4 Robert N. Kaplan (*pro hac vice*)
 5 Elana Katcher (*pro hac vice*)
 6 800 Third Avenue, 38th Floor
 7 New York, NY 10022
 Telephone: (212) 687-1980
 Email: rkaplan@kaplanfox.com
 ekatcher@kaplanfox.com

8 *Steering Committee Counsel for Indirect Purchaser*
 9 *Plaintiffs and Indirect Reseller Plaintiffs*

10 **CERA LLP**

11 By: /s/ Andrew Dirksen
 12 C. Andrew Dirksen

13 C. Andrew Dirksen (SBN 197378)
 14 529 Main St., Suite P200
 Boston, MA 02129
 Telephone: (857) 453-6555
 Email: cdirksen@cerallp.com

16 Solomon B. Cera (SBN 099467)
 17 Pamela A. Markert (SBN 203780)

CERA LLP
 18 50 California Street, Suite 1500
 San Francisco, CA 94111
 Telephone: (415) 777-2230
 Email: scera@cerallp.com
 pmarkert@cerallp.com

21 *Steering Committee Counsel for Indirect Purchaser*
 22 *Plaintiffs and Indirect Reseller Plaintiffs*

23 **WILKINSON STEKLOFF LLP**

24 By: /s/ Beth Wilkinson
 25 Beth A. Wilkinson

26 Beth A. Wilkinson (*pro hac vice*)
 27 James M. Rosenthal (*pro hac vice*)
 Matthew Skanchy (*pro hac vice*)
 Alysha Bohanon (*pro hac vice*)

Jenna Pavelec (*pro hac vice*)
2001 M Street, N.W., 10th Floor
Washington, D.C. 20036
Telephone: (202) 847-4000
Email: bwilkinson@wilkinsonstekloff.com
jrosenthal@wilkinsonstekloff.com
mskanchy@wilkinsonstekloff.com
abohanon@wilkinsonstekloff.com
jpavelec@wilkinsonstekloff.com

Moira Penza (*pro hac vice*)
Jeremy Barber (*pro hac vice*)
WILKINSON STEKLOFF LLP
West 42nd Street, 24th Floor
New York, New York 10036
Telephone: (212) 294-8910
Email: mpenza@wilkinsonstekloff.com
jbarber@wilkinsonstekloff.com

Lauren S. Wulfe (SBN 287592)
ARNOLD & PORTER KAYE SCHOLER LLP
777 South Figueroa Street, Forty-Fourth Floor
Los Angeles, California 90017
Telephone: 213-243-4000
Email: Lauren.Wulfe@arnoldporter.com

Counsel for Defendants Altria Group, Inc. and Altria Enterprises LLC

CLEARY GOTTLIEB STEEN & HAMILTON LLP

By: */s/ Nowell Bamberger*
Nowell D. Bamberger

David I. Gelfand (*pro hac vice*)
Jeremy J. Calsyn (State Bar No. 205062)
Nowell D. Bamberger (*pro hac vice*)
2112 Pennsylvania Avenue
NW Washington, DC 20037
Telephone: (202) 974-1500
Email: dgelfand@cgsh.com
jcalsyn@cgsh.com
nbamberger@cgsh.com

Counsel for Defendant Juul Labs, Inc.

1 **L.R. 5-1 SIGNATURE ATTESTATION**

2 As the ECF user whose user ID and password are utilized in the filing of this document, I attest
3 under penalty of perjury that concurrence in the filing of the document has been obtained from each of
4 the other signatories.

5 Dated: April 15, 2025

6 By: /s/ Beth Wilkinson